

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Provision of Access)
for 800 Service)

CC Docket No. 86-10

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AT&T'S PETITION FOR A STAY PENDING REVIEW

AT&T Corp. ("AT&T") requests that, pending review, the Commission stay the Common Carrier Bureau's Order on Reconsideration, DA 99-413, released on March 31, 1999.¹

INTRODUCTION

When a toll free service customer decides to change its service provider, it also typically changes the designated Responsible Organization ("Resporg"), which is the entity designated to manage and administer the customer's records in the national 800 Service Management System (SMS/800) database. Resporg change requests are submitted by the acquiring Resporg to the incumbent Resporg directly or to the National Administration and Service Center ("NASC"), both of which are required to change the SMS/800 records to reflect the new Resporg. The Order on Reconsideration holds that the Commission's primary interexchange carrier ("PIC") procedures governing changes to inbound and outbound services

¹ Concurrent with this petition, AT&T is filing on this date an Application for Review of the Order on Reconsideration.

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cannot be used to verify Resporg changes submitted to the NASC and that, in effect, those Resporg changes must be supported by a letter of authorization (“LOA”) from the customer. However, the Bureau’s Order offers no reasoned explanation for that conclusion, which changes the Commission’s settled policy of using uniform procedures to verify changes to a customer’s choice of inbound and outbound service providers.

The Order on Reconsideration denied an MCI Telecommunications Corp. (“MCI”) petition requesting the Commission to clarify that the NASC Change Order’s requirement that Resporg changes submitted to the NASC must have “proper written authorization,” could be satisfied by the Commission’s established PIC change procedures.² Alternatively, MCI requested that the Bureau reconsider the NASC Change Order and allow Resporgs to use the PIC change procedures.³ Despite acknowledging that its “*NASC Change Order* did not define the meaning of ‘proper written authorization,’” the Bureau held that the NASC Change Order did not intend to permit Resporgs to use PIC change procedures, and declined to reconsider that conclusion,⁴ without offering any reasoned explanation.

In the more than six years since the NASC Change Order was issued, Resporgs have used PIC change procedures, including third party verification, in submitting service changes to the NASC, believing this practice to be consistent with the requirements of that Order and with Commission policy. Those procedures have worked smoothly and without controversy

² Provision of Access for 800 Service, CC Docket No. 86-10, 8 FCC Rcd 1844, 1845 (Com. Car. Bur. 1993)(“NASC Change Order”).

³ See MCI “Petition For Clarification Or, In The Alternative, Reconsideration,” dated April 29, 1993.

⁴ Order on Reconsideration at ¶¶ 3, 6.

in efficiently making toll free numbers portable to the benefit of customers. However, the Bureau has abruptly concluded that those established industry practices are not in the public interest and has prescribed a new and unnecessary requirement that will greatly inconvenience and burden the thousands of customers each month that desire to change their inbound services. Significant numbers of these customers will be unable to change their inbound services because they will neglect or decline to sign LOAs and those customers that sign LOAs will experience substantial delays in changing their inbound services. For the reasons explained below, the Commission should issue a stay of the Bureau's Order.

ARGUMENT

The courts have provided that an agency should grant a stay of its own order if the equities favor relief. AT&T satisfies all of the elements necessary for a stay. Washington Metropolitan Area Transit Comm'n v. Holiday Tours, Inc., 559 F.2d 841, 844-45 (D.C. Cir. 1977).

I. AT&T IS LIKELY TO PREVAIL ON THE MERITS

The Bureau's Order on Reconsideration is fatally infirm because it changes settled Commission policy concerning the verification of a customer's carrier selection, for which the Bureau offers no reasoned explanation. In its PIC Change Order, the Commission prescribed procedures, including verification by an independent third party, that interexchange carriers ("IXCs") must follow in confirming a customer's decision to change its outbound service

carrier.⁵ The Commission concluded that “these verification options will significantly benefit customers without imposing undue costs on carriers.”⁶ The Commission released its PIC Change Order on January 9, 1992, more than a year before it issued its NASC Change Order on March 10, 1993. Subsequently, in its Slamming Order, the Commission decided to apply the same “verification requirements to in-bound and out-bound calls,” concluding that “[t]his will enable carriers to adopt uniform verification procedures for all calls” initiated by customers requesting a change in service providers.⁷ AT&T supported this decision and, as the Commission noted, “announced its intention to require third party verification of all telemarketing sales, including those generated by in-house calls.”⁸ Thus, AT&T uses the same third party verification procedures to confirm the customer’s decision to change its inbound or outbound service carrier.

The industry basically employs the Commission’s procedures the Commission adopted in its PIC Change Order to verify changes in a customer’s designated Resporg when those changes are made on a Resporg-to-Resporg basis, as the Declaration of Jonnie Bond

⁵ Policies and Rules Concerning Changing Long Distance Carriers, 7 FCC Rcd 1038 (1992)(“PIC Change Order”) The Commission required that IXC’s employ one of four confirmation procedures before submitting the PIC changes: (1) the customer’s written confirmation; (2) the customer’s electronic authorization; (3) third party verification of the customer’s order; or (4) sending an information package to the customer confirming the telemarketing order. Id. at 1045-46.

⁶ Id. at 1045.

⁷ Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996, Second Report and Order and Notice of Proposed Rulemaking, CC Docket No. 94-129, FCC 98-334, rel. Dec. 23, 1998, at ¶ 67 (“Slamming Order”). The Slamming Order also eliminated the information package verification option the Commission adopted in its PIC Change Order. See 47 C.F.R. § 64.1150.

⁸ Id. at ¶ 63, n.202.

appended hereto explains. Ms. Bond observes that, since 1993, the industry has used written authorization, electronic authorization, and third party verification. The industry adopted these verification procedures because inbound service Resporg changes are typically made at the same time that customers change their preferred carrier for inbound service. As Ms. Bond notes, the Industry Guidelines also provide that the NASC (now called the SMS/800 Help Desk) can implement Resporg changes on behalf of the customer's new Resporg, which in most cases is also the same entity as the customer's new carrier of choice, provided the acquiring Resporg has verified the customer's request.⁹

Since toll free number portability was implemented in 1993, it has been the widespread industry practice to use third party verification. AT&T typically uses the NASC to implement Resporg changes when the incumbent Resporg improperly rejects a change request or delays or refuses to release Resporg control. The vast majority of IXC's and LEC's accept third party verification for Resporg changes submitted to the NASC. Only a small number of local exchange carriers refuse to honor Resporg changes that the acquiring Resporg has confirmed by the use of third party verification, and AT&T uses the NASC to process a Resporg change in those cases.¹⁰

⁹ Declaration of Jonnie Bond, ¶¶ 3-4, Exhibit A.

¹⁰ Id. at ¶ 5. Bell Atlantic-North (the former Nynex), Pacific Bell, GTE and U S WEST do not accept third party verification for Resporg changes, notwithstanding that the rest of the industry accepts that verification. This result is anomalous in the cases of Bell Atlantic-North and Pacific Bell, since their affiliated companies -- Bell Atlantic-South and Southwestern Bell -- routinely honor third party verification submitted to them by an acquiring Resporg. Id. at ¶ 6.

Accordingly, the Commission's PIC change procedures are used to verify a customer's carrier selection and for Resporg changes implemented on a Resporg-to-Resporg basis. In refusing to permit the use of PIC change procedures to verify Resporg changes submitted to the NASC, the Bureau's Order on Reconsideration therefore has changed, without a reasoned explanation, the Commission's well-established policy that uniform procedures should be used to verify a customer's decision to change its outbound and inbound service provider. Indeed, since the PIC change procedures satisfy the Commission's concerns with respect to inbound and outbound service carrier changes, those procedures should equally satisfy the same concerns with respect to Resporg changes submitted to the NASC. The Bureau therefore had a duty to justify its view that the "proper written authorization" requirement of the NASC Change Order cannot be satisfied by those procedures. Yet the Bureau provided no such justification.

In effect, the Order on Reconsideration interprets the "proper written authorization" requirement of the NASC Change Order as equivalent to an LOA issued by a customer. However, that interpretation conflicts with the Commission's decision in the PIC Change Order issued more than a year before the NASC Change Order to reject the use of LOAs as the exclusive means of verifying a customer's carrier selection.¹¹ In addition, the Bureau's interpretation is not supported by the language of the NASC Change Order which is silent on that issue, as the Bureau concedes.¹² And contrary to the Bureau's assumption, the NASC Change Order did not endorse that interpretation.¹³ The Bureau's Order also conflicts with Commission

¹¹ PIC Change Order, 7 FCC Rcd at 1045-46.

¹² Order on Reconsideration at ¶ 3.

¹³ Id. at ¶ 6.

policy since toll free numbers became portable in 1993, to defer to the industry to resolve implementation and operational issues that arise in managing the toll free number resource, including issues relating to Resporg matters. The Commission's policy has been to intervene only to the limited extent necessary to provide assistance in conserving toll free numbers and in minimizing premature number exhaustion.¹⁴ The Bureau should have followed that policy in this case. However, by insisting that the "proper written authorization" requirement cannot be satisfied by the Commission's PIC change procedures, the Bureau adopted a new verification rule and changed Commission policy, but without providing a reasoned explanation.

The Bureau's decision suffers from the same infirmities as an earlier Commission Order excluding promotional rates from its price cap rules, that the U.S. Court of Appeals for the D.C. Circuit reversed. In that case, the Commission issued an order "clarifying" a previous order in deciding that promotional offerings should be excluded from price cap index calculations. The Court held that the Commission's action represented a policy change in the treatment of promotional rates for which it failed to give a reasoned explanation.¹⁵ Similarly, in this case, in clarifying that the NASC Change Order precluded the use of PIC change verification procedures, the Order on Reconsideration established a new Commission verification policy for which it failed to give a reasoned explanation. Such an explanation was particularly necessary inasmuch as the Bureau was establishing a unique verification policy applicable only to Resporg changes submitted to the NASC.

¹⁴ See Toll Free Service Access Codes, 12 FCC Rcd 11162, 11168, 11176 (1997).

¹⁵ American Tel. & Tel. Co. v FCC, 974 F.2d 1351, 1354-55 (D.C. Cir. 1992).

In all other circumstances involving changes to a customer's choice of inbound and outbound services, the Commission's PIC change procedures apply. Consequently, it was incumbent on the Bureau to explain why the PIC change procedures are not acceptable to verify Resporg changes submitted to the NASC, yet the Bureau offered no such explanation. It is therefore evident that the Order on Reconsideration is patently arbitrary and capricious.¹⁶ Any disinterested observer thus would be compelled to conclude that the Bureau's Order presents "serious questions" of lawfulness and sustainability on appeal.

II. THE BALANCE OF HARDSHIPS TIP DECIDEDLY IN FAVOR OF A STAY

The second requirement for an administrative stay -- that the "balance of hardships" tip decidedly in favor of a stay -- is also satisfied here. As shown below, in the absence of a stay, AT&T will suffer severe, irreparable injury, but a stay would not substantially harm other parties, and would serve the public interest.

As Ms. Bond observes, AT&T markets inbound and outbound services to small business customers primarily through telemarketing, and uses the same verification procedures -- i.e., third party verification -- to confirm those telemarketing sales. Thousands of customers purchasing inbound services each month through telemarketing expect and desire a paperless transaction. However, requiring these customers to sign an LOA following every third party verification would seriously inconvenience them and significant numbers of these customers would either refuse or neglect to sign LOAs.¹⁷ The Commission indeed agreed in its PIC Change

¹⁶ Motor Vehicles Mfrs. Ass'n v. State Farm Mut. Auto Ins. Co., 463 U.S. 29 (1983).

¹⁷ Bond Decl. at ¶¶ 6, 7.

Order that “carriers have had little success in having customers return the LOA, and it tends to discourage competition.”¹⁸ By failing to sign LOAs, these customers will not be able to change their services to AT&T, even though their decisions have been confirmed by third party verification. The LOA requirement will also produce substantial and needless delays in changing customers’ inbound services to AT&T since time would be required following a telemarketing sale and the associated third party verification for the LOA process to be completed. Furthermore, as a redundant measure, the LOA requirement would unreasonably increase AT&T’s costs, and this result is particularly unjustifiable since LOAs are no more reliable than third party consents in verifying customers’ decisions.¹⁹ In sum, AT&T will be severely injured in the absence of a stay of the Bureau’s Order. If customers refuse or neglect to sign LOAs because they are too burdensome, AT&T will lose that inbound business, and if customers sign the LOAs, the transfer of their services to AT&T will be delayed, AT&T will be denied revenues, and its costs increased.

However, a stay of the Order on Reconsideration would not harm any other party. All parties should have the identical interest in the processing of valid Resporg changes submitted to the NASC. Thus, a stay would simply allow carriers to use the Commission’s well-established PIC change procedures, including third party verification, to validate Resporg changes. No other party could conceivably be harmed by the use of those procedures. Moreover, this result would clearly serve the public interest because the Commission has concluded that its PIC change procedures are in the public interest, and inbound service

¹⁸ PIC Change Order, 7 FCC Rcd at 1045.

¹⁹ Bond Decl. at ¶¶ 6, 7.

customers whose designated Resporgs are changed through the NASC would benefit from the use of those procedures as much as all other customers.

Thus, AT&T will be severely injured in the absence of a stay, but no other party would be injured, and the public interest would be served by the issuance of a stay. Accordingly, the balance of hardships clearly tip in favor of a stay.

CONCLUSION

For the reasons stated above, the Commission should stay the Common Carrier Bureau's Order on Reconsideration pending review.

Respectfully submitted,

AT&T CORP.

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April 30, 1999

EXHIBIT A

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FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
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Provision of Access)	CC Docket No. 86-10
for 800 Service)	
)	

DECLARATION OF JONNIE BOND

I, Jonnie Bond, declare as follows:

1. I, Jonnie Bond, am the Toll-Free Service Product Manager at AT&T Corp. in Bedminster, New Jersey. My responsibilities focus primarily on toll-free service policy matters, SMS/800 issues and industry-level issues. I have been employed by AT&T for 25 years. I frequently handle Responsible Organization ("Resporg") toll-free number portability matters on behalf of AT&T, and interact with other carriers and Resporgs to resolve inter-company Resporg and toll-free number problems and disputes.

2. I also represent AT&T on the industry SMS/800 Number Administration Committee ("SNAC") of the ATIS-sponsored Ordering and Billing Forum ("OBF"). I have served on the SNAC and its predecessor CLC Ad Hoc 800 Database Committee, for 6 years. I actively participate in the SNAC efforts to draft and amend, from time to time, the Industry Guidelines For Toll Free Number Administration ("Industry Guidelines"), which provide the industry with a set of working principles for the administration of toll-

free numbers, including the implementation of toll-free number portability through the Resporg change process.

3. Since 1993, the industry has acknowledged that Resporg change validation procedures are within the discretion of the individual Resporg and that Resporgs can use one or more validation procedures: written LOA, third party verification, or electronic verification. The industry selected these validation options because they reflect the procedures specified by the Federal Communications Commission ("FCC") concerning changing a customer's preferred carrier, and because Resporg changes are typically made at the same time that preferred carrier changes are made. The CLC Ad Hoc Database Committee memorialized these validation options in Issue Number 048 on May 18, 1993. See Exhibit 1 attached to my Declaration.

4. The Industry Guidelines set forth the procedures that Resporgs must use in implementing Resporg changes between the acquiring and incumbent Resporgs. Most Resporg changes are implemented through direct Resporg-to-Resporg interactions. The Industry Guidelines also provide that the National Administration and Service Center ("NASC"), now called the SMS/800 Help Desk, can implement Resporg changes on behalf of the acquiring Resporg, if the acquiring Resporg has verified the legitimacy of the customer's request. Industry Guidelines, Section 3.2, Ex. 2. See Exhibit 2 attached to my Declaration.

5. It has been a widespread industry practice to implement Resporg changes using third party verification since toll-free number portability was implemented in 1993. The vast majority of interexchange carriers and local exchange carriers honor Resporg

changes confirmed by third party verification. But a small number of local exchange carriers do not honor Resporg changes confirmed by third party verification -- i.e., Pacific Bell, GTE, U S WEST and Bell Atlantic--North (former Nynex territory) -- even though the rest of the industry accepts the use of third party verification for Resporg changes submitted by an acquiring Resporg. AT&T typically uses the NASC to implement Resporg changes where the incumbent Resporg improperly rejects a change request or delays or refuses to release Resporg control.

6. AT&T markets services to small business customers primarily through telemarketing and uses the same third party verification procedures to confirm customers' decisions to change their outbound preferred carrier and their inbound service carrier implemented by Resporg changes. Those procedures comply with the FCC's rules concerning preferred carrier changes. When Resporg changes are requested, the telemarketing script captures the customer's consent to change the Resporg for specified toll-free number(s).

7. It would be significantly dissatisfying to customers who have requested a Resporg change, validated by third party verification, to be subsequently asked to confirm the request by signing a letter of authorization ("LOA"). Customers purchasing inbound services through telemarketing normally expect and want a simple, efficient paperless arrangement. Requiring a signed LOA following every third party verification of a Resporg change would run counter to customers' expectations and would significantly inconvenience them, and many customers would simply decline or neglect to sign the required LOAs. As a result, the LOA requirement would dissuade many

customers from changing their inbound service carrier. The LOA requirement would also delay the transfer of customers' services to AT&T since time would be required for the completion and submission of LOAs following the telemarketing sale and third party verification of the customer's decision. LOAs are also no more reliable than third party verification of customer consents. Finally, because LOAs are redundant in view of the third party verification procedures AT&T employs, a requirement to use LOAs would substantially increase AT&T's costs.

I declare under penalties of perjury under the laws of the United States that the foregoing is true and correct.

Executed on 7/30/99

Jonnie Bond
Jonnie Bond

ATTACHMENT 1

CLC Ad Hoc 800 Database Committee Issue Identification Form

ISSUE TITLE: RESP ORG Change Verification
Procedures

ISSUE NUMBER: 048
DATE SUBMITTED: 03-23-93
LAST REVISION DATE: 05-18-93
INITIAL CLOSURE DATE: 04-21-93
FINAL CLOSURE DATE: 05-18-93

1. ISSUE STATEMENT: The industry should define what vehicles may be used to verify a customers request for a RESP ORG change. With present verification procedures for outbound changes currently defined similar multi-function tools should be adopted for 800 service changes.

2. SUGGESTED RESOLUTION OR OUTPUT PRODUCT/SERVICE DESIRED:
Adopt procedures for verification into guidelines that allow for multiple RCA request vehicles. To be done by adopting existing outbound PIC changes procedures for inbound sales. To include: 1) LOA, 2) Negative Verification, 3) TPV and 4) Electronic Verification. TPV = Third Party Verification, LOA = Letter of Agency.

3. OTHER IMPACTS:

4. ISSUE ORIGINATOR (CHAMPION):

NAME: David Heath
COMPANY: MCI
ADDRESS: 2400 Glenville
Richardson, TX 75082

TELEPHONE NO.: 214-918-5624
FAX NO.: 214-918-6031

5. ISSUE STATUS:
03-23-93 Accepted and tabled pending FCC ruling on Allnet petition.
04-21-93 This issue was moved from Tabled to Active Status and then to Initial Closure.
05-18-93 This issue is moved to Final Closure.

6. RESOLUTION:
Validation Procedures are RESP ORG specific. Use of these procedures is defined between a RESP ORG and its customer or customer's agent. Validation procedures may include but are not limited to the following:
1) LOA, 2) Negative Verification, 3) TPV and 4) Electronic Verification.

ATTACHMENT 2



Ordering and Billing
Forum

ATIS/OBF-TFG-011

**INDUSTRY GUIDELINES
FOR TOLL FREE
NUMBER
ADMINISTRATION**

Issue 11

January 1999

Sponsored by



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Industry Solutions

Problem Solvers to the Telecommunications Industry

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This document was originally developed by the Ad Hoc 800 Database Committee, a committee under the auspices of the Carrier Liaison Committee and sponsored by the Alliance for Telecommunications Industry Solutions (ATIS). The document has been modified and is now maintained by the SMS/800 Number Administration Committee (SNAC) of the ATIS Ordering and Billing Forum (OBF). The OBF provides a forum for customers and providers in the telecommunications industry to identify, discuss and resolve national issues which affect ordering, billing, provisioning and exchange of information about access services, other connectivity and related matters. The SNAC is responsible for identifying and incorporating the necessary changes into this document. All changes to this document shall be made through the OBF issue resolution process and adopted by the SNAC as set forth in the OBF Guidelines.

This document is maintained and exclusively distributed by ATIS under the direction of the OBF.

Note: FCC Order 97-123, adopted April 4, 1997, permanently codified certain portions of this document particular to the assignment and utilization of ten digit toll free number administration (Section 2) in order to address Industry concerns related to the premature exhaust of the Toll Free Numbering Resource. Readers are advised to review and understand the implications of these FCC Orders and pay attention to the future FCC Orders that may impact the information provided in this document.

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3. Coordinated Conversion of Toll Free Service

3.1 Preface

This section describes the process that enables a Toll Free Service End-User Subscriber to retain the use of an active, reserved, or assigned Toll Free Service number when changing Responsible Organizations (Resp Orgs), and potentially, Toll Free Service Provider(s). This section outlines the responsibilities of the Customer, the Resp Org, and the Toll Free Service Provider(s).

3.2 Change of Resp Org

NOTE: A change of Resp Org should not be confused with changes to the Toll Free Service(s) of Toll Free Service Provider(s). It is the responsibility of the customer to separately advise its Toll Free Service Provider(s) of any proposed changes to the Toll Free Service(s) (i.e., change of Resp Org only, conversion to Multiple Carrier, disconnection of service).

3.2.1 Responsibilities of the Customer: To change its Resp Org, the Customer should:

- Establish a business relationship with the new Resp Org and provide appropriate documents as required by the new Resp Org for managing the SMS/800 record.
- Notify the new Resp Org of the requested date for the Resp Org change to occur.
- Notify the current Resp Org of the effective date to terminate the business relationship for managing the SMS/800 record for a Toll Free number.

3.2.2 Responsibilities of the new Resp Org: The responsibilities of the new Resp Org are to:

- Establish a business relationship with the Customer for Resp Org management of the SMS/800 record, and confirm with the Customer the Customer's obligation to define the Toll Free Service requirements directly to the Toll Free Service Provider(s).
- Obtain the necessary information from the Customer to assume SMS/800 record management. This information includes the Toll Free number and the requested effective date of the Resp Org change.
- Implement, in a timely manner, all Customer-requested changes to the SMS/800 record to support the Customer's Toll Free Service.

3.2.3 Responsibilities of the current Resp Org: When the Customer requests a change of Resp Org, it is the responsibility of the current Resp Org to:

- Ensure that it has, from the Customer, the information necessary to validate the request and transfer management of the SMS/800 record to the new Resp Org. The transfer information includes, but is not limited to: the identity of the new Resp Org, the Toll Free number, and the requested date of transfer.

- Validate the change of Resp Org request against internal Customer information to ensure the request has been authorized by the Customer. A Customer's name may be compared to multiple sources internally that may include the following examples:
 - Service Address Name
 - Billing Address Name
 - Does Business As (DBA) information
 - Additional Listing information

Additionally, the Resp Org may validate address information on the change of Resp Org request against internal Customer address information. A Customer's address may be compared to multiple sources internally that may include the following examples:

- Service Address
- Billing Address

When an address has been matched, but no Customer name matches, the old Resp Org should attempt to contact its Customer to verify the information to complete the Resp Org change.

- When the internal Customer information reveals the probability that the Toll Free number is a Resold Toll Free Service, the current Resp Org should contact the Toll Free Service Reseller to validate the Toll Free Service End-User Subscriber information, and to confirm it is the only user of the Toll Free number.

When the new Resp Org acts on behalf of the Customer via written authorization to the old Resp Org, the following additional information is required:

- The Toll Free numbers that need to be transferred to the new Resp Org.
 - Customer name and address, requested date of change, contact name and telephone number, Customer authorized signature.
 - Date and time the written authorization is sent to the old Resp Org.
 - New Resp Org SMS/800 identification and new Resp Org contact number.
- Release management of the SMS/800 record by changing the record to reflect the new Resp Org. This change, according to the industry standardized counting interval (see note) should be made no later than two full business days after receipt of the change request (unless a later date is requested by the Customer), or the current Resp Org should communicate back to the Customer the reason the requested Resp Org change cannot be made.

Note: The industry agreed to adopt the following counting standards in order to establish a common expectation for completion of a Resp Org change request:

DAY 0 Receipt of Resp Org Change
DAY 1 Clock Starts for Change Request
DAY 2 Change Occurs by Close of Business
DAY 3 New RO Can Expect Change in Place at Start of Business

Day 0 can be any day of the week, i.e., Sunday through Saturday
Days 1,2, 3 must be a normal business day, i.e., Monday-Friday

*Change Occurs by Close of Business of Control (Losing) Resp Org

(Changes that have been rejected and are resubmitted are considered as a new request, i.e., the counting interval begins again at the start of the new request.

- Assist the new Resp Org with any outstanding trouble conditions as outlined in Section 3.4. —
- Advise the Customer of its inability to affect any further SMS/800 record management after completing the transfer of the specified record to another Resp Org.

3.2.4 Special Conditions

XXX99 is an optional Resp Org ID that can be used to identify toll-free numbers that may warrant special consideration before a Resp Org change is requested. This Resp Org ID may be used to identify toll-free numbers involving special conditions, e.g:

- Shared/bundled services
- Fraudulent or unauthorized Resp Org change attempt
- Government directives/Court Orders

If the new Resp Org elects to request the SMS/800 Help Desk to make the Resp Org change, the new or requesting Resp Org is expected to validate the customer-signed Resp Org change request to ensure that the toll-free number is currently assigned to the end-user requesting the change and that the number is not subject to special considerations that may preclude its portability. This verification of end-user may be accomplished by:

- calling the toll-free number in question
- reviewing bill-copy that clearly indicates the current end-user subscriber of the toll-free number
- obtaining verification from the old Resp Org, or
- such other verification that clearly confirms that the customer requesting the Resp Org change is the current and valid end-user subscriber.

3.2.5 SNAC Standard Resp Org Change Request Information

The following list of Resp Org Change Request information has been compiled by SNAC representatives of the industry. The purpose of this list is to provide common information between companies to enable an expedient Resp Org Change.

- Specific language that customer wants to change Responsible Organization
- Customer Name
- Customer Address / Alternate Address (optional)
- Customer Contact Name (printed)
- Customer Signature
- Customer Signature Date (must be less than 30 days)
- the Gaining Resp Org Id
- Gaining Resp Org Id contact information (address/fax/phone/contacts)
- Losing Resp Org Id
- Minimum of 10 spaces to enter Toll-free numbers